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FILED
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APR -7 2008
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY



07-CV-00571-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EUGENE D. CARPER,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, et al.,

Defendants.

Case No. C07-571-JLR

ORDER OF DISMISSAL

The Court, having reviewed plaintiff's amended complaint in this 42 U.S.C. § 1983 civil rights action, together with all materials in support of and in opposition to those documents, the Report and Recommendation of United States Magistrate Judge James P. Donohue, the governing law and balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' motion to dismiss (Dkt. No. 16) and motion for judgment on the pleadings (Dkt. No. 27) are GRANTED, and Plaintiff's amended complaint (Dkt. No. 6) is DISMISSED with prejudice.
- (3) The Clerk of Court is directed to send copies of this Order to the parties.

DATED this 7th day of April, 2008.

JAMES L. ROBERT
United States District Judge

ORDER OF DISMISSAL - 1